

“Illicit Intercourse,” Plural Marriage, and the Nauvoo Stake High Council, 1840–1844

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When Mormon prophet Joseph Smith embraced twenty-six-year-old Louisa Beaman as his first documented celestial, or plural, wife on 5 April 1841,² he inaugurated a period of uncertainty and confusion among some in his young church, headquartered in Nauvoo, Illinois. Both the female Relief Society and male Nauvoo Stake High Council, whose members took seriously their charge to safeguard the morals of the Mississippi Riverfront boomtown, acted swiftly to suppress unauthorized erotic impulses. But because of the secrecy with which the thirty-five-year-old Smith cloaked his revelation of eternal patriarchal marriage,³ most members of these bodies did not know that some of the activities they were investigating enjoyed the prophet's imprimatur. In fact, by the time Emma (Hale) Smith, president of the Relief Society, learned of her husband's celestial unions, he had already taken as part of the “restoration of all things” twenty women, including several of her close associates. The Relief Society's rocky intersection with the prophet's controversial teachings has been plumbed elsewhere,⁴ the Nauvoo High Council's has not.⁵

Exploring the beginnings of Mormon plural marriage opens a door into an intimate world of men and women grappling with their prophet's innovative teachings on sexuality, gender roles, domestic relations, the patriarchal family, and exaltation. The stealth with which Smith propounded his doctrine of multiple wives facilitated the rise of rival teachings and independent interpretations (especially when his plural wives had living legal husbands).⁶ “[H]e instructed those with whom he discussed the subject,” explains Mormon researcher Rex Eugene Cooper, “to keep silent and feign ignorance if questioned directly.”⁷ “[T]he Prophet's efforts to protect

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² See Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City: Signature Books, 1997), 59.

³ “Early Mormonism was steeped in secrecy,” observes Danel W. Bachman, “A Study of the Mormon Practice of Plural Marriage before the Death of Joseph Smith,” M.A. thesis, Purdue University, 1975, 192.

⁴ See, for example, Linda King Newell and Valeen Tippetts Avery, *Mormon Enigma: Emma Hale Smith*, second edition (Urbana: University of Illinois Press, 1994), 106–118.

⁵ For brief treatments, see Bachman, 129–133, 226–227; and Andrew F. Smith, *The Saintly Scoundrel: The Life and Times of John Cook Bennett* (Urbana: University of Illinois Press, 1997), 87–91.

⁶ See Compton, 15–29.

⁷ Rex Eugene Cooper, *Promises Made to the Fathers: Mormon Covenant Organization* (Salt Lake City: University of Utah Press, 1990), 135–136. “Elders had no right to promulgate anything

himself, the church, and those directly involved," adds Daniel W. Bachman, an LDS historian of Mormon plural marriage, "led to some of the most serious miscalculations of his life."⁸ Examining the records of Nauvoo's high council enables a fuller appreciation of early Mormon polygamy, of the challenges facing Smith in attempting to control the spread of his new doctrine, and of the difficulties confronting those poorly informed or completely ignorant of the prophet's teachings in navigating the sometimes murky waters of love, marriage, and sex.

In taking additional wives, Smith believed he was not only following under penalty of spiritual death a divine commandment to strengthen the family unit, but exercising a righteous prerogative of God's chosen. "[T]he Lord had given him the keys of this sealing ordinance," his cousin remembered, and "he felt as liberal to others as he did to himself . . . and said to me 'You should not be behind your privileges.'"⁹ Despite the hardships, Smith was convinced that his actions helped to usher in Christ's millennial reign, while blessing forever not only the women, their parents, and families, but—through priesthood ordinances of eternal marriage and adoption—united their own husbands and their families in an expanding web of familial and social inter-relationships.¹⁰ "[T]he thing that my servant Joseph Smith has made known unto you and your Family and which you have agreed upon," the Lord told the father of one of the prophet's young brides, "is right in mine eyes and shall be rewarded upon your heads with honor and immortality and eternal life to all your house both old & young."¹¹ "Oh Lord my God," Smith subsequently blessed this man's daughter,

thou that dwellest on high bless I beseech of thee the one into whose hands this may fall and crown her with a diadem of glory in the Eternal worlds. Oh let it be sealed this day on high that she shall come forth in the first resurrection to receive the same and verily it shall be so saith the Lord if she remain in the Everlasting covenant to the end as also all her Fathers house shall be saved in the same Eternal glory and if any of them shall wander from the fold of the Lord they shall not perish but shall return saith the Lord and be saved in and by repentance be crowned

but that which they were authorized to teach," future LDS Apostle Charles W. Penrose later explained. "And when assailed by their enemies and accused of practising things which were really not countenanced in the Church, they were justified in denying those imputations and at the same time avoiding the avowal of such doctrines as were not yet intended for the world." "Joseph Smith and Celestial Marriage," *Deseret Evening News* (20 May 1886). "[T]hey were not denials of plural or celestial marriage," added Hyrum Smith's son and future LDS Church President Joseph F. Smith, "as taught by Joseph Smith and practiced at the time by both of them [i.e., Joseph and Hyrum], and many others in prominent standing in the church. These seeming denials themselves are specific proofs of the evidence of the true coin, the counterfeit of which they denounced." "Celestial Marriage," *Deseret Evening News* (20 May 1886).

⁸ Bachman, 232.

⁹ George A. Smith to Joseph Smith III, 9 October 1869, in Journal History, Archives, Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah; hereafter LDS Archives.

¹⁰ See, for example, Cooper, *Promises*, 138–147.

¹¹ Quoted in "A Revelation to N[ewell] K. Whitney," 27 July 1842, reprinted in *The Essential Joseph Smith* (Salt Lake City: Signature Books, 1995), 165. "A main motive of some plural marriages seems to have been to extend this saving power through the sealed woman to members of her family." Cooper, *Promises*, 140.

with all the fullness of the glory of the Everlasting Gospel. These promises I seal upon all of their heads in the name of Jesus Christ by the Law of the Holy Priesthood even so Amen.¹²

On the other hand, failure to obey God's commands could mean eternal damnation. "[P]repare thy heart to receive and obey the instructions which I am about to give unto you," the Lord proclaimed in the revelation announcing plural marriage; "for all those who have this law revealed unto them must obey the same. For behold, I reveal unto you a new and an everlasting covenant; and if ye abide not that covenant, then are ye damned; for no one can reject this covenant and be permitted to enter into my glory" (LDS Doctrine and Covenants 132:3–4). As a result, Smith judged that all "eternal" contracts not sanctioned, or sealed, by the power of his restored priesthood authority were ultimately invalid.¹³ "All covenants, oaths, vows, performances, connections, associations, or expectations," the Lord continued,

that are not made and entered into and sealed by the Holy Spirit of promise, of him who is anointed, . . . are of no efficacy, virtue, or force in and after the resurrection from the dead. . . .

Therefore, if a man marry him a wife in the world, and he marry her not by me nor by my word, and he covenant with her so long as he is in the world and she with him, their covenant and marriage are not of force when they are dead, and when they are out of the world; therefore, they are not bound by any law when they are out of the world. —verses 7, 15

"[T]he Prophet felt," Bachman concludes, "that only those who had his approval could properly exercise the religious ordinance [of marriage], and that he could void marriages that were not valid in eternity."¹⁴ "Believing that one's eternal exaltation depended on Joseph Smith," adds Kathryn M. Daynes, a historian at Brigham Young University, "ensured loyalty to him, especially when his power extended not only to his plural wives but also to their families. Mormons' concern with their salvation was strong and immediate because of their millenarian belief that the end of the world and the second coming of Christ would happen, not imminently but in the not-far-distant future."¹⁵

During the first two years after Nauvoo's founding, its stake high council, under the First Presidency (Smith and two counselors), moved authoritatively in both civil and religious spheres. But by early 1841, with the adoption of a city charter and election of a mayor and city council, the high council (usually a president, two counselors, and twelve high councilors) turned almost exclusively to ecclesiastical governance.¹⁶ As "watchmen upon the walls," high

¹² "Blessing Given to Sarah Ann Whitney by Joseph Smith. Nauvoo City, March 23, 1843," typescript of holograph, LDS Archives.

¹³ See Bachman, 124–136; and Compton, 17–18. Of course, Mormons continued to contract civil marriages. Joseph Smith himself personally performed at least twelve such marriages in Nauvoo; his brother Hyrum twenty-six. See Lyndon W. Cook, compiler., *Nauvoo Deaths and Marriages, 1839–1845* (Orem, Utah: Grandin Book Co., 1994), 89–114.

¹⁴ Bachman, 127.

¹⁵ Kathryn M. Daynes, *More Wives Than One: Transformation of the Mormon Marriage System, 1840–1910* (Urbana: University of Illinois Press, 2001), 26. For more on non-polygamous eternal marriages, see my "The Earliest Eternal Sealings for Civilly Married Couples Living and Dead," *Dialogue: A Journal of Mormon Thought* 35 (fall 2002): 41–66.

¹⁶ See Glen M. Leonard, *Nauvoo: A Place of Peace, A People of Promise* (Salt Lake City: Deseret Book Co./Provo, Utah: Brigham Young University Press, 2002), 92–97. For a discussion of the church's judicial system, see Edwin Brown Firmage and Richard Collin Mangrum, *Zion in*

councilors became the rapidly growing boomtown's "conscience and schoolmaster."¹⁷ They tackled a range of disputes, "resolving disagreements between members," "deciding issues of individuals' standing in the church,"¹⁸ upholding the innocent, and punishing the rebellious by expelling them from the body of believers (usually known as disfellowshipment, if temporary, or as excommunication, if more permanent). "This was a powerful tool," writes Nauvoo historian Glen M. Leonard, "for in a religious society to be excluded from fellowship effectively curbed a person's opportunities—political, economic, social, and religious."¹⁹

Prior to Nauvoo, cases of alleged sexual misbehavior brought before the church's high councils for resolution had been few. Doctor Philastus Hurlbut, age twenty-four, had been expelled in 1833 for "unchristian conduct with the female sex"²⁰ (and then helped to produce and promote the first published anti-Mormon book). Two years later, Lorenzo Lewis (age unknown), convicted of "illicit intercourse with a female," was "cut off from the Church" but promised that "if he repent and humble himself to the satisfaction of the Church, he shall be received into it again."²¹ The next day, Lorenzo Dow Young, twenty-seven-year-old younger brother of church apostle Brigham Young, was charged with having declared that "poor men ought not to raise up seed or children," that "it was right to have sexual intercourse notwithstanding," and that "he did not intend to have any more children." The high council did not agree, although it is not clear which of Young's declarations they disputed. Nonetheless, the chastened offender "made an humble acknowledgement" and was retained "in full fellowship as an Elder in the church of the Latter Day Saints."²² He went on to father seven more children in addition to the four his wife, Persis Goodall, had already borne.

One of the last cases involving possible sexual misconduct prior to Joseph Smith's April 1841 plural marriage concerned thirty-nine-year-old British native Theodore Turley. On 26 January 1841, William Niswanger and Benjamin L. Clapp charged their fellow seventy with, among other infractions, "unchristian conduct while on the sea for romping and kissing the females and dancing[;] . . . sleeping with two females coming up the Lakes and on the road to Dixons ferry."²³ Turley had immigrated to Canada in 1818 and converted to Mormonism nine

the Courts: A Legal History of the Church of Jesus Christ of Latter-day Saints, 1830–1900 (Urbana: University of Illinois Press, 1988).

¹⁷ Leonard, 96.

¹⁸ *Ibid.*, 95.

¹⁹ *Ibid.*

²⁰ See *Kirtland Council Minute Book*, Fred C. Collier and William S. Harwell, editors (Salt Lake City: Collier's Publishing Co., 1996), 14–15 (the original minutes are housed in the LDS Archives); also Joseph Smith et al., *History of the Church of Jesus Christ of Latter-day Saints. Period I. History of Joseph Smith, the Prophet by Himself* (Salt Lake City: Deseret Book Co., 1973), 1:352.

²¹ *Kirtland Council Minute Book*, 143–144; Smith, *History of the Church*, 2:285.

²² *Kirtland Council Minute Book*, 145.

²³ Quoted in "Minutes of the High Council of the Church of Jesus Christ of Nauvoo, Illinois, 1840–45," 6 February 1841, typescript prepared by Lyndon W. Cook, copy in my possession, original in LDS Archives; hereafter Nauvoo High Council Minutes. Copies are also available in H. Michael Marquardt Papers, Western Americana, Marriott Library, University of Utah, Salt Lake

years later. He suffered through the persecutions of the Saints in Ohio and Missouri, and in 1839 returned to England to preach his new religion. In early September 1840, he presided over the second shipload of Mormon emigrants, numbering 200, from Liverpool to New York City, arriving in Nauvoo in late November.²⁴ Turley could be domineering and autocratic, and Niswanger and Clapp's allegations may have been provoked as much by an imperious personality as by any actual misdeeds.²⁵

Turley insisted he was innocent and, as customary, members of the high council presented arguments on both sides. The charges were soon sustained, however, after which

the President decided that he, the defendant, in order to retain his fellowship, should acknowledge, both before the Council, and also, to a publick congregation, that he had acted unwisely, unjustly, imprudently, and unbecoming, and that he had set a bad example before his brethren and sisters as he was coming over from Europe.

The Council sanctioned the President's decision[.] Elder Theodore Turley then made a confession to the satisfaction of the Council, and stated that he would rejoice in the opportunity of making the like confession before the publick.²⁶

Despite the reference to "sleeping with two females," it is not certain that sexual contact occurred (the issue seems to have been Turley's "bad example"). Nor is it clear whom "President" referred to: William Marks, forty-eight-year-old president of the Nauvoo Stake, or Joseph Smith, president of the church in whose office the council met.²⁷ (In early 1844, Turley would take as one of his first plural wives a young woman who had sailed with him to America; while his accusers would both be excommunicated, Niswanger in 1842 or 1843, Clapp in 1859.)

City, and on *New Mormon Studies CD-ROM: A Comprehensive Resource Library* (San Francisco: Smith Research Associates, 1998). In addition, typed excerpts may be found in D. Michael Quinn Papers, Beinecke Library, Yale University, New Haven, Connecticut.

²⁴ See *The Theodore Turley Family Book*, Nancy Romans Turley and Lawrence Edward Turley, compilers (n.p., 1978), 16–45.

²⁵ In fact, the other two charges Niswanger and Clapp leveled against Turley related directly to this penchant: "3. For not settling with the brethren for what money he recieved of them, and taking the lumber from the boat without leave. 4. For threatning the brethren that Brother Joseph [Smith] would not hear any thing that they would not tell him about him for he was of the same spirit and signified the same Priesthood signifying if they told him he would not hear them." Nauvoo High Council Minutes, 6 February 1841.

²⁶ Ibid.

²⁷ D. Michael Quinn, in *The Mormon Hierarchy: Origins of Power* (Salt Lake City: Signature Books in association with Smith Research Associates, 1994), 632, suggests it was Smith who forgave Turley. On the other hand, the minutes of the next meeting of the high council refer specifically to "President William Marks" (30 March 1841).

**Table 1. Twenty-three Cases of Alleged Sexual Misconduct
Brought before the Nauvoo Stake High Council, 1840–1844**

Plaintiff vs. Defendant	Date(s)
George Miller vs. Chauncey L. Higbee	20 May 1842
George Miller vs. Catherine Warren	25 May 1842
George Miller vs. Lyman O. Littlefield	27 May 1842
George Miller vs. Darwin Chase	27/28 May 1842
George Miller vs. Joel S. Miles	27 May 1842
George Miller vs. Justus Morse	28 May 1842
Elijah Everett vs. Gustavus Hills	3/4 September 1842
William Marks vs. Enoch King and Mary Ware Eggleston	21/28 January/ 11 February 1843
William Marks vs. Henry Cook	21 January 1843
William Marks vs. John Thorp and Sarah Miller	21 January 1843
[William Marks vs.] John C. Annis	21 January 1843
[William Marks vs.] Thomas Prouse and Charity Thorp	21 January 1843
[William Marks vs.] William Wilsey	28 January 1843
[William Marks vs.] John Blazzard and Mrs. Pool	28 January/4 February 1843
Charles C. Rich vs. James Reed and Mary Powell	28 January 1843
[William Marks vs.] John Wells Taylor and Mary Cook	28 January 1843
Thomas Woolsey vs. Job Green	4 March 1843
Isaac Allred vs. John P. Hendrickson	1 April 1843
Israel Brown vs. Elizabeth Rowe	22 July 1843
Austin Cowles vs. George J. Adams	1/7 September 1843
Sidney Roberts vs. Quartus S. Sparks	17/or/18 November 1843
Joseph Smith vs. William Henry Harrison Sagers	25 November 1843
Lucinda Sagers vs. William Henry Harrison Sagers	13 April 1844

Of greater significance were accusations brought a year later, in May 1842, against twenty-one-year-old Chauncey L. Higbee during the first in a series of sexually charged inquests. Stories of forbidden seductions sanctioned by Joseph Smith and/or others—notably his loquacious confidant John C. Bennett—had circulated for the past several months. From April 1841 to April 1842, Smith had secretly married eight women and would marry an additional six before year's end.²⁸ "If you have no accuser," he told the Saints in November 1841 in words that would be used to legitimize sexual adventurism,

God will not accuse you. If you have no accuser you will enter heaven, and if you will follow the revelations and instructions which God gives you through me, I will take you into heaven as my back load. If you will not accuse me, I will not accuse you. If you will throw a cloak of charity over my sins, I will over yours—for charity covereth a multitude of sins. What many people call sin is not sin; I do many things to break down superstition, and I will break it down.²⁹

²⁸ See Compton, 4–6.

²⁹ Smith, *History of the Church*, 4:445.

Five weeks later, he added: "The reason we do not have the Secrets of the Lord revealed unto us is because we do not keep them but reveal them. We do not keep our own secrets but reveal our difficulties to the world even to our enemies. Then how would we keep the secrets of the Lord? Joseph Says I can keep a secret till dooms day."³⁰ The following March, while surveying his own moral frontiers, Smith published his revision of Abraham's journey with his wife, Sarai, into Egypt (LDS Book of Abraham 2:21–25; cf. Genesis 12:10–20).³¹ As literary critic Susan Staker points out, Smith's version shifted the responsibility for Abraham's lying about his relationship with Sarai from himself to God, who was now quoted as saying: "Sarai, thy wife, is a very fair woman to look upon." Because of Smith's relocating of the text's moral voice, Staker continues, "guarding against the consequences of male desire becomes a matter of sacred secrecy, of lying for the Lord. . . . In Smith's revision the boundaries between heaven and earth blur as God implicates himself in the messiest of human affairs, secrets and lies involving male desire and transgressed marital taboos."³²

The next month, Smith broached such a taboo when he propositioned the nineteen-year-old daughter of one of his counselors in the First Presidency. She demurred, and after a few days Smith sent her a letter he hoped would change her mind. "That which is wrong under one circumstance," he argued, "may be and often is, right under another. . . . Everything that God gives us is lawful and right; and it is proper that we should enjoy His gifts and blessings . . . Blessings offered, but rejected, are no longer blessings. . . . Our Heavenly Father is more liberal in his views, and boundless in his mercies and blessings, than we are ready to believe or receive."³³ She was not swayed, told others of the prophet's overtures, slanders followed, and relations between the two families soured.³⁴

John C. Bennett, the prophet's talented, egotistical ally, had lodged with the Smiths from September 1840 to July 1841.³⁵ In fact, the thirty-seven-year-old Bennett had been privy to Smith's April 1841 plural marriage and was conversant with his controversial teachings. Consequently, he believed he too was authorized, whether or not Smith conveyed such an impression, to initiate himself and others into the prophet's new order. Smith worried that the enthusiasm with which Bennett embraced the celestial doctrine, and especially his introduction of it to others without Smith's permission, failed to emphasize sufficiently the religious aspects of his revelation and thus exposed the church to the condemnation of nonbelievers. (Smith required a marriage/sealing ceremony be performed with his permission by an authorized priesthood holder prior to sexual contact; Bennett believed that worthy couples, married or not, could

³⁰ Ibid., 479.

³¹ See "The Book of Abraham," *Times and Seasons* 3 (15 March 1842): 719.

³² Susan Staker, "'The Lord Said, Thy Wife Is a Very Fair Woman to Look Upon': The Book of Abraham, Secrets, and Lying for the Lord," in *The Prophet Puzzle: Interpretive Essays on Joseph Smith*, Bryan Waterman, editor (Salt Lake City: Signature Books, 1999), 296.

³³ Quoted in Dean C. Jessee, editor, *Personal Writings of Joseph Smith*, revised edition (Salt Lake City: Deseret Book Co./Provo, Utah: Brigham Young University Press, 2002), 538–539.

³⁴ For an account of this episode, see Richard S. Van Wagoner, *Sidney Rigdon: A Portrait of Religious Excess* (Salt Lake City: Signature Books, 1994), 294–302.

³⁵ For more on Bennett, see my "John C. Bennett, Joseph Smith, and the Beginnings of Mormon Plural Marriage in Nauvoo," *Journal of Mormon History* (forthcoming).

engage freely in sexual activity provided they keep their conduct a secret.) By the spring of 1842, Bennett's sexual escapades had made him a liability, especially when rumor connected his and the prophet's names. "We have been informed," Smith and other ranking church leaders (including some already officially introduced to the prophet's teachings) wrote to the Relief Society in late March,

that some unprincipled men, whose names we will not mention at present, have been guilty of such crimes [i.e., debauching the innocent]— We do not mention their names, not knowing but what there may be some among you who are not sufficiently skill'd in Masonry as to keep a secret, therefore, suffice it to say, there are those, and we therefore warn you, & forewarn you, in the name of the Lord, to check & destroy any faith that any innocent person may have in any such character, for we do not want any one to believe any thing as coming from us contrary to the old established morals & virtues & scriptural laws, regulating the habits, customs & conduct of society; and all persons pretending to be authorized by us or having any permit, or sanction from us, are & will be liars & base impostors, & you are authoriz'd on the very first intimation of the kind, to denounce them as such, & shun them as the flying fiery serpent, whether they are prophets, Seers, or revelators: Patriarchs, twelve Apostles, Elders, Priests, Mayors, Generals, City Councillors, Aldermen, Marshalls, Police, Lord Mayors or the Devil, are alike culpable & shall be damned for such evil practices; and if you yourselves adhere to anything of the kind, you also shall be damned.³⁶

Less than two weeks later, Smith angrily "pronounced a curse upon all adulterers, and fornicators, and unvirtuous persons, and those who have made use of my name to carry on their iniquitous designs."³⁷ By the end of the month, as word broke of his attempted liaison—which he denied—with his counselor's daughter, Smith complained of a "conspiracy against the peace of my household was made manifest, and it gave me some trouble to counteract the design of certain base individuals, and restore peace. The Lord makes manifest to me many things, which it is not wisdom for me to make public, until others can witness the proof of them."³⁸ When Smith shortly afterward threatened to publicize Bennett's libertinism, Bennett first signed into law (at Smith's request and with the city council's approval) a law banning brothels and "adultery, or fornication,"³⁹ then resigned as mayor, withdrew (or was expelled, accounts vary) from

³⁶ Joseph Smith, Brigham Young, Hyrum Smith, Willard Richards, Heber C. Kimball, and Vinson Knight to the Relief Society, ca. 30 March 1842, in Nauvoo Relief Society Minutes, 20 March 1842, typescript in my possession, original in LDS Archives.

³⁷ Smith, *History of the Church*, 4:587.

³⁸ *Ibid.*, 607–608; Dean C. Jessee, editor *The Papers of Joseph Smith: Volume 2: Journal, 1832–1842* (Salt Lake City: Deseret Book Co., 1992), 379.

³⁹ The law, as published in the 14 May 1842 edition of *The Wasp*, reads:

[A]ll brothels or houses of ill fame, erected or being in the city of Nauvoo, be and the same hereby are henceforth prohibited and by law declared public nuisances and that the owners or keepers of such houses, be fined in a sum of not less than five hundred nor more than fifty thousand dollars & imprisoned for, six months for each offense of one day's continuance of such establishment; and that any person frequenting such establishment, (except on lawful business) shall be fined in the sum of five hundred dollars, and six month's imprisonment for each offense; and further, that for every act of adultery, or fornication, which can be proved, the parties shall be imprisoned six months, and fined, each, in the sum of from five hundred to fifty thousand dollars, and that the individual's own acknowledgement shall be considered sufficient evidence in the case.

the church, and left town by the end of June.⁴⁰ Shortly afterward, he began publicly exposing Smith's own secrets, including his letter to his counselor's daughter.⁴¹ It was against this backdrop of clandestine plural marriages that the Nauvoo High Council convened in mid-May 1842.

Chauncey Higbee, second-born son of longtime church stalwart (and occasional high councilor) Elias Higbee, had along with several others fallen under Bennett's intoxicating spell, and on 20 May 1842 Nauvoo's forty-seven-year-old presiding bishop George Miller, who had been investigating Bennett's shady past and had uncovered evidence of an active sexual underground, charged Higbee with "unchaste and unvirtuous conduct with the widow Miller and others."⁴² Higbee must have sensed something was amiss—only days earlier, at the prompting of church officials, he had sworn that "he never knew said [Joseph] Smith to countenance any improper conduct whatever, either in public or in private, and that he never did teach me in private or public that an illicit intercourse with females was under any circumstances justifiable and that he never knew him so to teach others."⁴³ Even so, he does not seem to have fully appreciated the nature of the charges against him (especially since he had been acting in concert with Smith's own brother William) and, when brought before the high council, asked for more time to prepare a response. The council, unaware of Smith's plural marriage activities but eager to stamp out licentiousness, disagreed and immediately called three young women who "testified that [Higbee] had seduced them and at different times been guilty of unchaste and unvirtuous conduct with them and taught the doctrine that it was right to have free intercourse with women if it was kept secret &c and also taught that Joseph Smith authorized him to practise these things &c." Higbee's defense, if he presented—or was allowed to present—one, is not available. But he seems not to have sought forgiveness, for Hyrum Smith, the church's presiding patriarch who would not learn of his younger brother's doctrine until May 1843, moved to make a public example of the young rebel by ousting him from the church and announcing the action in the *Times and Seasons* (the church's official semi-monthly periodical).⁴⁴ (To counter rumors of complicity, Joseph Smith also sued Higbee for slander and defamation.⁴⁵ Higbee's

⁴⁰ See Smith, *Saintly Scoundrel*, 78–91.

⁴¹ Bennett first published a series of exposures in the nearby *Sangamon Journal*, then reissued them that fall in an expanded form in his *The History of the Saints; or, An Exposé of Joe Smith and Mormonism* (Boston: Leland & Whiting, 1842).

⁴² Nauvoo High Council Minutes, 20 May 1842. Joseph Smith's diary reports that the council met on 21 May 1842 (see Jessee, *Papers of Joseph Smith*, 386). Also see the brief discussion in Bachman, 226–227. Miller, whom Joseph Smith would subsequently fully instruct in his doctrine of plural marriage, did not take his first celestial wives until after Smith's death. He was excommunicated in 1848 for insubordination and died in 1856.

⁴³ Chauncey L. Higbee, Affidavit, 17 May 1842, printed in *Affidavits and Certificates Disproving the Statements and Affidavits Contained in John C. Bennett's Letters* (Nauvoo, 31 August 1842).

⁴⁴ It is not clear if Higbee was expelled on the 21st, as the minutes suggest, or on the 24th, as Smith, *History of the Church*, 5:18, says.

⁴⁵ See the documents reprinted in Richard Price and Pamela Price, *Joseph Smith Fought Polygamy, Volume 1* (Independence, Missouri: Price Publishing Co., 2000), 146–155. The Prices reject the possibility that Joseph Smith taught and practiced plural marriage.

response was to call as witnesses the same women who had testified against him but who he believed could sustain his allegations against Smith.⁴⁶ Smith subsequently withdrew the risky civil action, and Higbee mellowed somewhat until 1844 when he enlisted that June with other dissidents to publish the *Nauvoo Expositor*, an event that ultimately precipitated Joseph's and Hyrum's violent deaths in Carthage Jail.⁴⁷)

Scandalized by the revelations of Higbee's accusers, the high council, joined by other (unidentified) church officials, met again on 24 May to affirm and take additional testimony from "Mrs Sarah Miller and Miss Margaret and Matilda Neymans . . . relative to the charge against Chancy Higbee and others showing the manner of iniquity practised by them upon female virtue & the unhallowed means by which they accomplished their desires."⁴⁸ According to their statements as edited and published by the church in 1844, all three women—sisters Margaret J. and Matilda J. Nyman (in their mid-twenties) and Sarah Miller (née Searcy) (age twenty-seven)—as well as a fourth—Catherine Warren (previously Fuller) (age twenty-two)—testified that Higbee had not only seduced them but had justified his actions in the name of Joseph Smith. In her published testimony, Margaret Nyman reported:

Some time during the month of March last, Chauncey L. Higbee, came to my mother's house, early one evening, and proposed a walk to a spelling school. My sister Matilda, and myself accompanied him; but, changing our design on the way, we stopped at Mrs. Fuller's: During the evening's interview, he, (as I have since learned,) with wicked lies proposed that I should yield to his desires, and indulge in sexual intercourse with him, stating that such intercourse might be freely indulged in, and was no sin: That any respectable female might indulge in sexual intercourse, and there was no sin in it, providing the person so indulging, keep the same to herself; for there could be no sin where there was no accuser;—and most clandestinely, with wicked lies, persuaded me to yield by using the name of Joseph Smith; and, as I have since learned, totally false and unauthorised; and in consequence of those arguments, I was influenced to yield to my Seducer, Chauncey L. Higbee.

I further state that I have no personal acquaintance with Joseph Smith, and never heard him teach such doctrines, as stated by Chauncey L. Higbee, either directly or indirectly. I heartily repent before God, asking the forgiveness of my brethren.⁴⁹

Matilda Nyman testified:

During this spring Chauncey L. Higbee, kept company with me from time to time, and, as I have since learned, wickedly, deceitfully, and with lies in his mouth, urged me vehemently to yield to his desires; that there could be no wrong in having sexual intercourse with any female that could keep the same to herself;—most villainously and lyingly stating that he had been so instructed by Joseph Smith, and that there was no sin where there was no accuser:—Also vowing he would marry me. Not succeeding, he on one occasion, brought one, who affirmed that

⁴⁶ See *ibid.*, 154–155. See also the affidavit Higbee secured from Melissa Schindle on 2 July 1842, in Bennett, *History of the Saints*, 253–254.

⁴⁷ For more on Higbee, and especially his older brother, Francis M., see my "Buckeye's Laments: Two Early Insider Exposés of Mormon Polygamy and Their Authorship," *Journal of the Illinois State Historical Society* (winter 2003):350–390.

⁴⁸ Nauvoo High Council Minutes, 24 May 1842.

⁴⁹ "Testimony of Margaret J. Nyman v. Chauncey L. Higbee, before the High Council of the Church of Jesus Christ of Latter-Day Saints, in the City of Nauvoo, May 21, 1842," statement signed 24 May 1842, printed in *Nauvoo Neighbor* (29 May 1844).

such intercourse was tolerated by the heads of the Church, I have since found him also to be a lying conspirator against female virtue and chastity, having never received such teachings from the heads of the church; but I was at the time partially influenced to believe, in consequence of the source from whom I received it. I yielded and became subject to the will of my seducer, Chauncey L. Higbee: and having since found out to my satisfaction, that a number of wicked men have conspired to use the name of Joseph Smith, or the heads of The Church, falsely and wickedly to enable them to gratify their lusts, thereby destroying female innocence and virtue, I repent before God and my brethren and ask forgiveness.

I further testify that I never had any personal acquaintance with Joseph Smith and never heard him teach such doctrines as Higbee, stated either directly or indirectly.⁵⁰

Sarah Miller affirmed:

Some two or three weeks since, in consequence of brother Joseph Smith's teachings to the singers, I began to be alarmed concerning myself, and certain teachings which I had received from Chauncey L. Higbee, and questioned him (Higbee) about his teaching, for I was pretty well persuaded, from Joseph's public teachings, that Chauncey had been telling falsehoods; but Chauncey said that Joseph now taught as he did through necessity, on account of the prejudices of the people, and his own family particularly, as they had not become believers in the doctrine. I then became satisfied that all of Chauncey's teachings had been false, and that he had never been authorized by any one in authority to make any such communication to me. Chauncey L. Higbee's teaching and conduct were as follows. When he first came to my house soon after the special conference this spring, Chauncey commenced joking me about my getting married, and wanted to know how long it had been since my husband died, and soon removed his seat near me; and began his seducing insinuations by saying it was no harm to have sexual intercourse with women if they would keep it to themselves, and continued to urge me to yield to his desires, and urged me vehemently, and said he and Joseph were good friends, and he teaches me this doctrine, and allows me such privileges, and there is no harm in it, and Joseph Smith says so. I told him I did not believe it, and had heard no such teaching from Joseph, nor from the stand, but that it was wicked to commit adultery, &c. Chauncey said that did not mean single women, but married women; and continued to press his instructions and arguments until after dark, and until I was inclined to believe, for he called God to witness of the truth, and was so solemn and confident, I yielded to his temptations, having received the strongest assurance from him that Joseph approved it and would uphold me in it. He also told me that many others were following the same course of conduct. As I still had some doubts, near the close of our interview, I again suggested my fears that I had done wrong and should lose the confidence of the brethren, when he assured me that it was right, and he would bring a witness⁵¹ to confirm what he had taught. When he came again, I still had doubts, I told him I understood he, (Higbee,) had recently been baptized, and that Joseph, when he confirmed him, told him to quit all his iniquitous practices,—Chauncey said it was not for such things that he was baptized for, do you think that I would be baptized for such a thing and then go into it so soon again? Chauncey Higbee, said it would never be known, I told him it might be told in bringing forth. Chauncey said there was no danger, and that Dr. Bennet understood it, and would come and take it away, if there was anything.⁵²

⁵⁰ Matilda J. Nyman, testimony dated 21 May 1842, statement dated 24 May 1842, printed in *Nauvoo Neighbor* (29 May 1844).

⁵¹ This was William Smith.

⁵² Sarah Miller, statement dated 24 May 1842, reprinted in *Nauvoo Neighbor* (29 May 1844).

Finally, Catherine Warren stated, in part, "I have had an unlawful connexion with Chauncey L. Higbee. Chauncey Higbee, taught the same doctrine as was taught by J. C. Bennet, and that Joseph Smith, taught and practiced those things, but he stated that he did not have it from Joseph, but he had his information from Dr. John C. Bennet. He, Chauncey L. Higbee, has gained his object about five or six times, Chauncey L. Higbee also made propositions to keep me with food, if I would submit to his desires."⁵³ Additionally, and this did not appear in print, the women implicated by name other young men, including Lyman O. Littlefield (twenty-two and married), Darwin Chase (twenty-six and single), and Joel S. Miles (twenty-five and single).⁵⁴

First, the council wanted to rule on Bishop Miller's charges against Catherine Warren⁵⁵ "for unchaste and unvirtuous conduct with John C. Bennett and others."⁵⁶ Warren, who had remarried only one month earlier,

⁵³ "Extract from the testimony of Catherine Warren vs. Chauncey L. Higbee, *before the High Council of the church, &c.*," dated 25 May 1842, reprinted in *Nauvoo Neighbor* (29 May 1844). (See also Willard Richards, Diary, 25 May 1844, LDS Archives: "copying affidavits &c for C. L. Higbee for the Neighbor.") All of these statements were subsequently published in the serialized "History of Joseph Smith" *Deseret News* (9 September 1857); *Latter-day Saints' Millennial Star* 23 (12 October 1861): 657–658, but not in Smith, *History of the Church*. See also Robert D. Hutchins, "Joseph Smith III: Moderate Mormon," M.A. thesis, Brigham Young University, 1977, 33. The originals are housed in LDS Archives. Fuller also stated that William Smith attempted to seduce her, offering to bring her food if she would not remarry.

⁵⁴ Littlefield had married Olive Andrews (born 24 September 1818) on 16 March 1840. Also named, but never charged, was George Thatcher. As previously noted, John Bennett had resigned from the church on 17 May and left town the following month. William Smith remained behind, was never brought before the high council, and in late 1843 married two plural wives with his older brother's permission. In 1845, following Joseph Smith's death, he was excommunicated for insubordination.

⁵⁵ Bennett, whose mixture of fact and fantasy makes it difficult to know when he is telling the truth, later that same year characterized "the widow Fuller, now Mrs. Warren" as "a luscious woman, with a good head [phrenologically speaking], amateness at eleven, the same size as Joe's [i.e., Joseph Smith's]," and alleged that she "confessed to [intercourse with] forty men and beasts." Quoted in "Anti-Mormon Lecture," *New York Herald* (4 September 1842): 2. Bennett would later describe her as: "not particularly attractive in person, though far from being ugly." *History of the Saints*, 253. The identities of these four women had not yet been publicized by the church; however, Bennett correctly named Warren, the Nyman sisters, and the "widow Miller" (whom he described in *History of the Saints* as "notorious . . . a voluptuous woman, of ordinary capacity, black hair and eyes, round features, and free and lively disposition." 255–256.) According to records Bennett allegedly possessed, Margaret Nyman's and Sarah Miller's testimony before the high council (date unspecified) read, in part:

Inquisitor.—Margaret, the Lord has revealed that you have been guilty of illicit intercourse with men; confess, and your fault shall be forgiven; if not, God's curse will fall upon you. Margaret—I will confess, I am young and once was innocent, but * * * * *

Inq.—who was the first man deprived you of your virtue? Mar.—Mr. W.—Inq.—How came you to yield? Mar.—He said Joseph approved on it, and I yielded * * * * * Inq.—Any others? Mar.—Yes Inq.—Give the next name. Mar.—You must excuse me. Inq.—If you do not,

confessed to the charge and give the names of several others who had been guilty of having unlawful intercourse with her stating that they taught the doctrine that it was right to have free intercourse with women and that the heads of the Church also taught and practised it which things caused her to be led away thinking it to be right but becoming convinced that it was not right and learning that the heads of the church did not believe nor practise such things she was willing to confess her sins and did repent before God for what she had done and desired earnestly that the Council would forgive her and covenanted that she would hence forth do so no more.

Following her admissions, "she was restored to fellowship by the unanimous vote of the Council."⁵⁷ Warren remained in Nauvoo with her husband, William Warren, and on 29 January 1846 was endowed in the Nauvoo temple. (The Nyman sisters were never formally brought up on charges before the council; Sarah Miller would be summoned again in early 1843.)

Littlefield, Chase, and Miles—all apparently baffled by the attention—stood before the council two days later. Littlefield, a fledgling writer and poet,⁵⁸ had three months earlier provoked a minor controversy when, working for the *Times and Seasons*, he had slipped the following anonymous cheeky sentence into one of the paper's routine marriage announcements: "and when life wanes and they find a peaceful abode in the 'narrow house' [i.e., coffin], may the many outs and ins they have made, leave to the world an abundant posterity to celebrate their glorious example."⁵⁹ Given the rumors of rampant lasciviousness, Littlefield's double

you will be cut off from the Church. Mar—Mr. B—Inq—Did he urge the same doctrine? Mar.—No. Inq.—How did he accomplish his purpose? Mar.—We just went at it and asked no questions, for Joseph had approved it. Inq.—Name him. Mar.—It is not necessary, I am under a covenant. Inq.—You must answer. Joseph directed us to absolve all covenants. Mar.—I would rather defer it until I can consult the person. Inq.—Joseph knows all about it, it has been revealed to him by God, and if you do not reveal it, the curse will fall on you; you must tell. Mar.—It was Joseph. Inq.—Stand aside, you need not tell that. * * *

The widow Miller, amateness large. (Here followed her examination before the inquisition, similar to the above. She also, was absolved from the covenant, and mentioned the name of Joseph. The Inquisitor said "Stop,—Joseph is pure and free from sin." "I know," said the widow, "Joseph is pure and free from sin, and only does it to show he is a man as well as a prophet, and to try the faith of the saints.") . . .

Bennett did not include this exchange in his *History of the Saints*, but did print an affidavit reporting a sexual encounter between Smith and Catherine Fuller (253–254). None of the relevant contemporary documents housed in LDS Archives corroborates any of these assertions regarding Smith.

⁵⁶ Nauvoo High Council Minutes, 25 May 1842.

⁵⁷ Ibid.

⁵⁸ See his articles in *Times and Seasons* 2 (16 August 1841): 514–515; 2 (15 September 1841): 545–547; 2 (1 October 1841): 565–566; and 3 (15 November 1841): 586–587.

⁵⁹ "Married," *Times and Seasons* 3 (15 February 1842): 701. Either shortly before or after the appearance of Littlefield's notice, Smith filed charges of slander against the young printer's apprentice "and obtained a judgment of \$500 bonds to keep the peace" (Smith, *History of the Church*, 4:514–515). It is not clear if Smith was responding to the published notice or to rumors that may have connected his and Littlefield's names.

entendre could not have been more ill-timed. Joseph Smith's critics jumped on the titillating notice, and the *Times and Seasons*'s past editor quickly apologized for the gaffe, stressing: "from an intimate acquaintance of near seven years with Pres't Joseph Smith, I never yet have seen a single indelicate or unbecoming word or sentence, from his pen, but to the reverse."⁶⁰ Littlefield too clarified: "I hope the editor of the [Warsaw] Signal [i.e., a neighboring newspaper critical of the Mormons] will do you [Joseph Smith] the justice to exculpate you from the wholesale charges which I have been, in some degree, the means of calling upon your head; and, if he must blame any person for the notice, let his anathemas, like an avalanche, flow upon me—I will bear the burthen of my own foibles."⁶¹

All three defendants denied Bishop Miller's accusations of "improper and unvirtuous conduct and . . . teaching false doctrine." (The latter charge related to using Smith's name in gaining access to women.) "I was taught that doctrine or principle [of plural marriage]," Littlefield years later testified, "the doctrine was talked of between myself and a great many other parties, and always with the understanding that it had its origin with Joseph Smith the Prophet, himself."⁶² Despite their protestations, Littlefield and Miles were found guilty; Chase complained about the "want of evidence" and was granted a delay of one day. Both Littlefield and Miles were "disfello[w]shipped" until they could make sufficient "satisfaction to this Council."⁶³ When the council reconvened the next day, they determined that Chase's guilt could not be proven. "The President"—either Joseph Smith, Hyrum Smith, or William Marks—then "decided that he [Chase] should be restored to full fellowship." According to the minutes, eight councilors agreed, but four wanted first to hear additional arguments for acquittal and to explain why they "did not accede to the Presidents decisions," after which the president "again called on the council to sanction his decision which was done unanimously."⁶⁴ Though not a high councilor, Apostle Wilford Woodruff attended the proceedings. "The first Presidency & The High Council & virtuous part of the Church," he recorded,

are making an exertion abo[ut] these days to cleanse the Church from Adulterers fornicators & evil persons for their are such persons crept into our midst. The high council have held a number of meeting of late & their researches have disclosed much iniquity & a number been Cut off from the church. I met with the High Council to day on the trial of L. O. Littlefield Joel S Miles & Darwin Chase. The two former were cut of for Adultery & the case of D Chase was put of till tomorrow.

28th The case of D. Chase was tryed & he restored to fellowship by the majority of own[ly?] I vote.⁶⁵

⁶⁰ E[benezer]. Robinson, "To the Public," *Times and Seasons* 3 (16 March 1842): 729.

⁶¹ L[yman]. O. Littlefield to "President Joseph Smith," in *ibid.*

⁶² Lyman O. Littlefield, Testimony, in "Respondent's Testimony, Temple Lot Case," 149, LDS Archives.

⁶³ Nauvoo High Council Minutes, 27 May 1842.

⁶⁴ *Ibid.*, 28 May 1844. Some of the quoted material is crossed out in the original.

⁶⁵ Wilford Woodruff, *Wilford Woodruff's Journal*, Scott G. Kenney, editor, nine volumes (Midvale, Utah: Signature Books, 1983–1985), 2:177. Woodruff's account of Chase's trial, which he may not have attended but relied on the reports of others, differs from that contained in the high council's official minutes. Perhaps Woodruff records only the first vote, not the final.

Though clearly angered by the proceedings, Littlefield and Miles subsequently returned to full fellowship. "It is well known to yourself as to me," Littlefield wrote to Joseph Smith in early 1844,

that there has a difference existed between us for sometime. At least, I have had good reasons to believe that your feelings were somewhat insenced at me. My object in penning this letter is to have the matter honorably and amicably adjusted. . . . I take this course because I have learned that to Joseph Smith have been committed the Keys of the Kingdom of Heaven which are not to be taken away in this world or in the world to come. Then there is no sacrifice too great for me to lay at your feet. All I possess, all I am, all I expect to be, is dedicated to the cause of God. . . . My errors have principally been errors of the head and not of the heart. I have, at times, been very weak in the faith, but I thank my God that I have never lifted my voice or pen in denunciations of Mormonism. . . . I close by saying it is human to err, but magnanimous to forgive.⁶⁶

Littlefield subsequently divorced, remarried, migrated to the Rocky Mountains, wrote against John C. Bennett (without noting his own connection) in 1888,⁶⁷ and died in Utah in 1893;⁶⁸ Miles testified against one of the prophet's critics in 1844.⁶⁹ Chase remained in Nauvoo, was endowed in the Nauvoo temple in 1846, but later left the church, moved to California, and died during the Battle of Bear River in 1863.⁷⁰

⁶⁶ Lyman O. Littlefield to Joseph Smith, 10 February 1844, Joseph Smith Collection, LDS Archives.

⁶⁷ See Lyman Omer Littlefield, *Reminiscences of Latter-day Saints* (Logan, Utah: The Utah Journal Co., Printers, 1888), 157–159.

⁶⁸ See Susan Easton Black, *Membership of the Church of Jesus Christ of Latter-day Saints, 1830–1848*, fifty volumes (Provo, Utah: Brigham Young University, Religious Studies Center, 1984–88), s.v. "Littlefield, Lyman Omer." Littlefield married Adeline Amarilla Hamblin (born 18 September 1823) in the Nauvoo temple on 31 January 1846 (subsequently divorced), and later Louisa Young (born 1 May 1822) on 1 January 1851. Littlefield's first wife, Olive Andrews, married Joseph Smith (by proxy) for eternity and Brigham Young for time on 15 January 1846; apparently, she later married Orra Metcalf Lisk, circa 1852, in New Orleans, Louisiana.

⁶⁹ See "Joel S. Miles, swore," *Times and Seasons* 5 (15 May 1844): 540. Perhaps as fallout from Miles's case, his younger brother, Ira S. Miles (age twenty-three), two weeks later brought before the high council a complaint against Amanda Smith for "unchristian-like conduct. In stating that my wife, Mary K. Miles, has had too frequent intercourse with Joseph McCall, at my house, at different times and other places thereby insinuating that she (that is my wife) is guilty of adultery with said Joseph McCall." Smith was found guilty of not taking her concerns first to the Mileses. She apologized and was allowed to retain her membership in the church. (See Nauvoo High Council Minutes, 10 June 1842.) Although it is not known if Smith was a member of Nauvoo's Relief Society at this time, the society's president, Emma Smith, had less than two months earlier instructed her colleagues: "the disagreeable busines of searching out those that were iniquitous, seem'd to fall on her—said it was an unpleasant task, but her desire was to do good—wish'd all the members of the Society to assist her—said it was necessary [to] begin at home." (Nauvoo Relief Society Minutes, 14 April 1842).

⁷⁰ See Black, s.v. "Chase, Darwin J."; Woodruff, 6:96.

Also called before the high council on 28 May 1842 was Justus Morse (age thirty-three). Charged with "unchaste and unvirtuous conduct with the daughter of the Widow Neyman &c. &c.," Morse declined to attend and instead asked that "his name be struck off of the Church Books as he did not wish to stand a trial." Married since 1832 to Elizabeth Towne and the father of as many as six children, Morse had also apparently succumbed to Bennett's wiles and did not want to encourage an airing of his case. The council may have considered allowing him to withdraw, but evidently concluded not to set a precedent, declared him guilty, and ordered "he (the defendant) be disfellowshipped," presumably in absentia.⁷¹ Morse also eventually returned to fellowship, was called in April 1844 on a mission to campaign for Joseph Smith's bid for the U.S. presidency,⁷² was endowed and sealed in the Nauvoo temple in January 1846, traveled to Utah and later to California, joined the rival Reorganized Church of Jesus Christ of Latter Day Saints (now Community of Christ), and died in Ohio in 1887.⁷³

Shock waves from Higbee's trial and especially Bennett's sensational public attacks reverberated throughout the summer. Despite the ongoing controversies, Smith married in late July his first teenaged bride, Sarah Ann Whitney, with her parents' permission but without Emma's knowledge. Three weeks later, he wrote to his celestial in-laws:

all three of you can come and See me in the fore part of the night . . . I have a room intirely by myself, . . . I know it is the will of God that you should comfort me now in this time of affliction . . . the only thing to be careful of; is to find out when Emma comes then you cannot be safe, but when she is not here, there is the most perfect safty . . . burn this letter as soon as you read it;

⁷¹ Nauvoo High Council Minutes, 28 May 1842.

⁷² See Smith, *History of the Church*, 6:337.

⁷³ See Black, s.v. "Morse, Justice (Justus)." Seven months before his death at age seventy-eight, Morse swore to an affidavit detailing, in part, his exposure to "the doctrine of sealing, or marrying for eternity, called spiritual wifery." Morse alleged that he had been introduced to the celestial teaching in 1842 by Amasa Lyman, and that a year later "my own wife and another woman were sealed to me for eternity in Macedonia, by father John Smith, uncle to the Prophet. This woman was the wife of another man, but was to be mine in eternity and the said father John Smith, also taught me that if an unmarried woman was sealed to me that she was mine for time as well as eternity and that I was not limited as to number." He also asserted that "In the years 1843 and 4, Elder Amasa Lyman and father John Smith again taught me the doctrine of spiritual wifery or polygamy, and in the years 1845 and 6, Brigham Young and Heber C. Kimball taught me the doctrine also." Affidavit, dated 23 March 1887, reported in Charles A. Shook, *The True Origin of Mormon Polygamy* (Mendota, Illinois: The W.A.C.P. Ass'n, n.d.), 175–179. However, John Smith did not take his first plural wife until August 1843, and Lyman not until September 1844. Furthermore, John Smith did perform some eternal marriage ceremonies, but apparently not until after Joseph Smith's death in June 1844. More than likely, Morse confused the details of his experiences with Bennett, Lyman, and John Smith. He may have married polygamously after Joseph Smith's death, but probably not until 1846. Although his conclusions about Morse's pre-1844 plural marriages are debatable, Michael S. Riggs's "'His Word Was as Good as His Note': The Impact of Justus Morse's Mormonism(s) on His Families," *John Whitmer Historical Association Journal* 17 (1997): 49–80, is an informative treatment of Morse.

keep all locked up in your breasts, my life depends upon it. . . . I think Emma wont come to-night if she dont fail to come to night.⁷⁴

Also by this time, Smith had instructed his close friend Heber C. Kimball (as well as Vinson Knight, Brigham Young, and perhaps Reynolds Cahoon, who had all married plurally with Smith's permission) to take a new wife without first informing his legal wife.⁷⁵ On the other hand, Apostle Orson Pratt refused in late July to publicly endorse the prophet's good character, convinced he had tried to seduce his wife, and as a result was suspended the next month from the Quorum of the Twelve.⁷⁶ A defiant-sounding Smith, in hiding to avoid arrest for the attempted assassination of a former Missouri governor, proclaimed shortly afterward:

O[rson]. P[ratt] and others of the same class caused trouble by telling stories to people who would betray me and they must believe these stories because his wife told him so! I will live to trample on their ashes with the soles of my feet. I prophecy in the name of Jesus Christ that such shall not prosper, they shall be cut down in their own plans. . . . I can kick them off my heels, as many as you can name, I know what will become of them.⁷⁷

The prophet's bravado helped to kindle a new round of inquiries, and five days later, on 3 September 1842, the high council debated charges against Gustavus Hills. Hills, age thirty-eight, was a poet and musician, who served as a church clerk, directed Nauvoo's "Musical Lyceum," and worked for a time as assistant editor of the *Times and Seasons*. He had married Elizabeth Ann Mansfield in 1827, was the father of six children, and had joined the LDS Church in late 1840.⁷⁸ As both a professor of music at the University of Nauvoo and an assistant justice of the Municipal Court, he had become acquainted with the ubiquitous John C. Bennett (chancellor and mayor). Hills's adoption of Bennett's views on spiritual wifery led to his being accused of "illicit intercourse with a certain woman by the name of Mary Clift by which she is with child and for teaching the said Mary Clift that the heads of the Church prac-

⁷⁴ Quoted in Compton, 346–349. "Of course these things had to be kept an inviolate secret," wrote the mother of Smith's new wife; "and as some were false to their vows and pledges, persecution arose, and caused grievous sorrow to those who had obeyed, in all purity and sincerity, the requirements of the celestial order of marriage." Elizabeth Ann Whitney, "Reminiscences," in Carol Cornwall Madsen, editor *In Their Own Words: Women and the Story of Nauvoo* (Salt Lake City: Deseret Book Co., 1994), 202.

⁷⁵ For the dates of their marriages, see George D. Smith, "Nauvoo Roots of Mormon Polygamy, 1841–1846: A Preliminary Demographic Report," *Dialogue: A Journal of Mormon Thought* 27 (spring 1994): 37–72. For an example of the prophet's instruction to wed without first informing one's legal wife, see the experience of Heber C. Kimball, in Stanley B. Kimball, *Heber C. Kimball: Mormon Patriarch and Pioneer* (Urbana: University of Illinois Press, 1981), 94–95.

⁷⁶ See Gary James Bergera, "Seniority in the Twelve: The 1875 Realignment of Orson Pratt," *Journal of Mormon History* 18 (spring 1992): 23–37. Pratt was restored to his office and standing in January 1843.

⁷⁷ Quoted in Jessee, *Papers of Joseph Smith*, 446–447.

⁷⁸ See G[ustavus]. Hills, "Prosperity of Zion," *Times and Seasons* 2 (15 April 1841): 389; "Choir of the Stake of Zion in the City of Nauvoo," *Times and Seasons* 3 (1 January 1842): 653; Gustavus Hills, "Salutory," and "University of Nauvoo. Musicial Lyceum," *Times and Seasons* 3 (15 January 1842): 663, 666; Black, s.v. "Hills, Gustavus"; and Michael Hicks, *Mormonism and Music: A History* (Urbana: University of Illinois Press, 1989), 41–42.

tised such conduct & that the time would come when men would have more wives than one &c.”⁷⁹ Hills and Clift had apparently met late the previous year when both were members of Nauvoo’s choir. By September 1842, Clift, age twenty-seven, was eight months pregnant, and her obvious condition no doubt prompted some attention.

Clift was not present when the high council convened on 3 September but had given a deposition on 29 August regarding her situation. The council decided it needed additional information and asked for a second affidavit.⁸⁰ When councilors reassembled the next day, both of Clift’s statements were read aloud. According to her first affidavit, Clift, “an unmarried woman,”

was pregnant with a child which, if born alive, may be a bastard and that Gustavus Hills was the father of such child. The said Gustavus Hills about 4 or 5 weeks since requested deponent to remove to Columbus (Adams county) until after her confinement and he would assist her with support as far as his means would permit; and that such illicit conduct was practiced by the heads of the Church and that the time would come when men would have more wives than one, and he wished that time would come.⁸¹

In the second, she reported that Hills had told her “he was intimate with another woman in town besides his wife & that the authorities of the church countenanced and practiced illicit connexion with women & said there was no harm in such things provided they kept it secret.” Hills reportedly suggested she chemically induce an abortion but, following her refusal, told her to leave Nauvoo until after the baby’s birth.⁸²

The high council called additional witnesses. Esther Smith gave evidence that defendant told her it was lawful for people to hold illicit intercourse if they only held their peace & that ~~the time would~~ it was agreeable to the practice of some of the leading men or heads of the Church. It took place the thursday before the Choir was dismissed in the upper part of Town near the Bluff at 9 O’clock in the evening, she was going home—he offered & went to accompany her and this took place upon the way, she further testified that Mary Clift joined the Choir at Br Joseph Smiths.

Hills then produced witnesses in his defense, hoping to show that he had been deceived, but “none gave any evidence that he was innocent.” Councilors debated the evidence, apparently decided that Hills had been duped but still required punishment, and concluded to disfellowship him.⁸³ Less than two weeks later, Nauvoo’s municipal court, acting on a complaint from Clift’s father, ruled that Hills had, in fact, fathered Clift’s unborn child. Hills agreed to pay Clift \$200 plus \$20 a year for three years if the child survived birth.⁸⁴ Clift’s son, whom she named Jason,

⁷⁹ Nauvoo High Council Minutes, 3 September 1842. Also see the brief discussion in Bachman, 227.

⁸⁰ Ibid.

⁸¹ Mary Clift, Affidavit, 29 August 1842, in *Journal History*, under date.

⁸² Mary Clift, Affidavit, 4 September 1842, quoted in Bachman, 227.

⁸³ Nauvoo High Council Minutes, 4 September 1842.

⁸⁴ The details of this episode were first published in Hicks, 41–42. The agreement Hills signed on 15 September 1842 is housed in Newell K. Whitney Papers, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah, and reads:

Know all men by these presents that I Gustavus Hills of the county of Hancock and state of Illinois am held and firmly bound unto Mary Clift of the county and state aforesaid in the penal sum of

was born the next month but died the following year in late October 1843. Hills was implicated in another case brought before the high council (see below), but was soon restored to fellowship, continued to serve on the municipal court, and in early October 1843 was clerk of a special churchwide conference. He was endowed in the Nauvoo temple in late December 1845 and was sealed to his wife, Elizabeth, in 1846 but died of "congestive fever" later that year.⁸⁵ Clift married Theodore Turley, with whom she had immigrated to the United States three and a half years earlier, as a plural wife in early 1844 and traveled with him to Utah.⁸⁶ (Members of Turley's family subsequently antedated the date of the couple's plural marriage to late 1841/early 1842 to provide Jason with legitimate parentage.)⁸⁷

While no new allegations of sexual misconduct were presented to the high council during the remainder of the year, this was due not to a dearth of misbehavior, but to the time needed to investigate such charges. For the last two Saturdays—the 21st and 28th—of January 1843 witnessed a flurry of sexually based accusations.⁸⁸ First, however, the council discussed a question that had haunted more than a few of Mormonism's converts: Can a husband or wife, separated for whatever reason from his or her spouse, remarry without first securing a divorce?

Henry H. Wilson [age thirty-three] appeared before the Council and desired to know, whether, in his present condition, it would be wisdom, and also if it would be justifiable by the laws of God and man, for him to unite himself in matrimony, or not, as he had a living wife.

It appeared from evidence adduced that his wife was a very contentious, disobedient and ungovernable woman and that she would not submit to good order, or abide his council and al-

Two hundred Dollars, which payment will and truly to be made I bind myself, my heirs and legal representatives firmly by these bonds sealed with my own seal and dated this 15th day of September in the year of our Lord One thousand Eight hundred and forty two.

The condition of the above obligation is such that whereas the said Mary Clift hath made oath that she is pregnant with a child by the said Gustavus Hills and has agreed with the said Gustavus to submit the matter of the support of the same to referees, now if the said child shall be born alive the said Gustavus Hills agrees to pay the said Mary Clift Twenty Dollars annually for Three years in quarterly payments, in provisions or clothing suited to the condition of the said child, but should the child die, ~~then or should the said Gustavus Hills demand the care and maintenance of said child at any time~~, then the obligation to pay as aforesaid is to cease from the time of such decease ~~or demand~~ and if the said Gustavus Hills shall will and truly comply with the conditions of the above obligation or should the child die, ~~or its care and maintenance be demanded as aforesaid~~ then this obligation to cease and be void. And further at or before the delivery of said child the said Gustavus Hills shall pay five dollars in money and goods [?] for such an occasion besides the payments before mentioned This obligation being complied with as aforesaid then and in that case the obligation and everything therein contained is to cease, otherwise to remain in full force and effect.

Given under my hand and seal the day and year above written

⁸⁵ See *Journal History*, 22 January 1847.

⁸⁶ Turley's plural marriage to Clift probably occurred at around the same time he married her sisters Eliza and Sarah Ellen Clift on 6 March and 26 April 1844.

⁸⁷ See *Turley Family Book*, 56.

⁸⁸ Of the cases discussed below, the following were first briefly noted by name in Bachman, 130–133: John Annis, John Blazzard, Henry Cook, Mary Hoag, Sarah Miller, Mrs. Pool, Mary Powell, John Thomas Prows, James Reed, John Wells Taylor, Charity Thorp, John Thorp, and Henry Wilson.

together refused to live with and that they had been apart for the last five years and many other things which was unbecoming &c.

After which it was decided by President Hyrum Smith and William Marks, that if he feels himself justified and can sustain himself against the laws of the land, that he is clear as far as they were concerned ((ie) the jurisdiction of the High Council) and was at liberty to marry again on the aforesaid conditions.⁸⁹

Additionally, the church strongly discouraged marriage outside the faith: "They, who marry out of the church, are considered weak in the faith . . . [and] must be considered as desirous to please themselves rather than God, entering into temptation voluntarily, which, in the end, will lead to the most lamentable consequences."⁹⁰ Such advice placed enormous pressure on converts whose spouses had not joined them in baptism to find new partners. These thorny issues had come up before, and councilors knew that by approving a form of common law divorce, they were also sanctioning a form of polygamy. The challenge was to make certain that a couple was irreconcilably incompatible—usually based on evidence of adultery, physical abuse, et cetera—before permitting one spouse to seek another without the benefit of divorce. The high council would have an opportunity to put its ruling to test before day's end.

Councilors then moved on to what they assumed would be their first case—charges against Enoch King and Mary Ware Eggleston for "living in adultery; and unchristian-like conduct"—but because of a "want of proper evidence as neither party was ready for trial," they decided instead to investigate Henry Cook's alleged "unchristianlike conduct, for selling your wife &c. &c." The thirty-nine-year-old Cook vehemently denied selling his wife, Mary Hoag, whom he had married seven months earlier on 13 June 1842, insisting that a joke told at her expense had been misunderstood. According to the council minutes:

[I]t appeared from evidence, that Cook had lost his wife [i.e., Nancy Bingham, m. ca. 1828, d. ca. 1841] not long since and was left with three children and being in destitute circumstances, and not in a condition to keep house, thought that he had best get married again and advised with some of his friends who also thought it best if he could get a suitable companion, not long afterwards, upon a short acquaintance, and the recommendation of some of his friends he got married to Mary **** not long after this he found that she was in the habit of traveling about at

⁸⁹ Nauvoo High Council Minutes, 21 January 1843. Although his first wife is unidentified, Wilson married Frances Kelley three months later on 23 April 1843 (see Black, s.v. "Wilson, Henry Hardy").

The high council had skirted the issue a year earlier when it ruled on Jesse Turpin's case in April 1842. Turpin, age twenty-five, had married Eliza Ann Boggess, age seventeen, on 24 December 1840. Less than six months later, he had been disfellowshipped for allegedly marrying another man's wife. He then appealed his punishment, arguing that "he had not been cut off legally . . . there being only one witness and his testimony circumstantial." The high council agreed that there "were no evidences given which would give any reason to believe that he had been guilty of the charge," and ordered that he "be restored to his former fellowship & official standing in the Church." Nauvoo High Council Minutes, 22 April 1842, and Bachman, 129–130; see also the notices regarding Turpin in *Times and Seasons* 2 (16 August 1841): 514, and 3 (2 May 1842): 771. The Turpins subsequently bore six children, but divorced ca. 1855. Jesse died in 1854 in Kansas, Eliza in 1891 in Utah. See Black, s.v., "Turpin, Jesse," and "Boggess, Eliza Ann."

⁹⁰ "On Marriage," *Times and Seasons* 2 (1 June 1841): 433.

night when there was no need of it &c. and that she ~~was~~ would shamefully misuse his children & set bad examples before them, use very indecent language to them &c also would abuse him & insult him without a cause and entirely refuse to be subject to him or be under his contrroll, boasting that she would be governed by no man and threaten to use violence on him and his children and that she would go off and say she would leave him, but come back again and many such like improprieties, and that he had ~~use~~ remonstrated against such proceedings with as much patience as could be expected under such circumstances and used every method to bring her to her duty that he thought would avail anything with her and afterwards that he had whiped her pretty sevearly (which was his own testimony) thinking that might bring her to her duty; that he did not sell her but something had been said about it which was understood as a joke by himself and the witnesses but the party making the offer held it as a bargain & so did she. it also appeared that he had formerly been a civil upright man who desired to live in peace and good order, all of which was abundantly proven.

Hyrum Smith, who joined the council as one of President Marks's advisors, "spoke at some length on the subject," delivered to Cook "a very appropriate and severe reprimand for ~~using the rod~~ whipping his wife," but felt that "Cook had acted as well as could be expected under his circumstances." Following Smith's lead, the council voted unanimously to acquit Cook of all charges.⁹¹ (Cook subsequently married Lovina Thayer on 5 November 1843, was endowed with and sealed to his wife in the Nauvoo temple in late January 1846, and moved to Utah where he died in 1869.)⁹² Mary Hoag, who shortly after leaving Cook had remarried, would be asked to account for her actions before the end of the month. (Cook had either offered to sell Hoag for her weight in catfish to the man who then married her, or the man offered to pay that amount for her, which Cook reportedly accepted. Either way, Cook insisted that such talk was strictly a joke.)⁹³

Next, the council ruled on charges against John Thorp and the "widow, Sarah Miller, said now to be the wife of John Thorp," for "living in adultery and unchristian-like conduct." (Miller had appeared before the council the previous year to testify of her involvement with Chauncey Higbee and others.) The couple had wed on 6 December 1842, despite Thorp's being legally married. Thorp, who sensed that being separated from his first wife did not permit his marrying a second one, elected not to attend the trial, worried that "he would be arrested by the civil law and sent to the penitentiary for Bigamy," which the council took as evidence of guilt. On the other hand, Miller "plead ignorance saying she did not know but she had a right to marry him that Thorp used many arguments to induce her to have him and finely convinced her that it was right." After "much was said on the subject," the charges against both were "sustained in the fullest sense," and the council unanimously voted to "cut [them] off from the church."⁹⁴ (Councilors may have felt that Miller had been sufficiently warned earlier not to entangle herself in

⁹¹ Ibid.

⁹² Black, s.v. "Cook, Henry Lyman."

⁹³ The incident took on a life of its own, and nearly forty-five years later, Wilhelm Wymetal, in *Mormon Portraits* (Salt Lake City: Salt Lake Tribune, 1886), commented: "[T]here was a great deal of swapping and exchanging done in Nauvoo as to wives. Old Cooks sold his wife for a load of catfish, and from that time on he was always called 'Catfish Cooks'" (68).

⁹⁴ Nauvoo High Council Minutes, 21 January 1843.

such affairs and consequently did not merit any mercy.) Thorp and Miller would soon separate, and Miller would remarry before the end of the year.

The fourth case brought before the council, still on the 21st, concerned John C. Annis's having performed Mary Hoag's civil marriage to John Wells Taylor on 27 November 1842, while she was still legally wed to Henry Cook. Annis, age fifty-eight, "frankly confessed" to having performed the illegal marriage and "manifested a spirit of deep repentance and remorse for what he had done and was willing to make any satisfaction which would be required &c." Hyrum Smith "reprimanded Annis for what he had done, without understanding his duty &c," but recommended, which the council approved, that he be acquitted.⁹⁵ (Annis was endowed in the Nauvoo temple in early 1846 and died three years later.)⁹⁶

After several grueling hours, an exhausted council heard the last case of the day again involving charges of "the crime of adultery and other unchristian-like conduct" against John Thomas Prows (also Prouse) and his wife, Charity Arms Thorp. Prows, age fifty-one and recently widowed, had hired Thorp (still legally married to John Thorp, whose case the council had just adjudicated) as a housekeeper and soon

ascertain[ed] that she had some difficulty with her husband and that they did not live together and that he did not provide for her as he should &c and that he became more & more attached to her the more he became a[c]quainted, and also his children became acquainted attached to her and did not want her to leave their house and often solicited him to marry her which at last he did.

His reasons in justification of himself was that Thorp abused her and did not provide for her and because of the attachment of his children to her and more especially after Thorp got married to Sarah Miller &c all this was the statement of the parties and strengthened by other testimony.

Prows and Thorp had married on 21 December 1842, believing that in view of the Thorps' separation, they were free to solemnize their relationship. Hyrum Smith was obviously annoyed at both the Thorps and the Prowses and "spoke at [length] upon the subject showing the iniquity of their conduct that they were living in adultery." He urged the council to disfellowship the Prowses, which they then voted unanimously to do.⁹⁷ (The Prowses remained in Nauvoo, but apparently did not travel west with the body of the Saints in 1846. John Prows died in Kentucky in 1865.)⁹⁸

Reconvening the next week on 28 January, the council faced a similarly full docket. First, they ruled on William Wilsey's having performed the illegal civil ceremony between John Thomas Prows and Charity Thorp. Wilsey, age forty-five, pleaded guilty and said he "was sorry." Following testimony in Wilsey's behalf, Hyrum Smith conceded that he "had done wrong, But believed that he had through debility of body and mind done more than right but that he might be forgiven." William Marks added that all "Elders should be cautious & wise in future," and moved that Wilsey be acquitted, which the council approved.⁹⁹

⁹⁵ Ibid.

⁹⁶ Black, s.v. "Annis, John C."

⁹⁷ Nauvoo High Council Minutes, 21 January 1843.

⁹⁸ Black, s.v. "Prows, John Thomas."

⁹⁹ Nauvoo High Council Minutes, 28 January 1843.

Next, the council heard evidence of adultery from a string of witnesses against and for John Hopwood Blazzard (also Bleazard, Blezard, and Blazard) and a Mrs. Pool. According to Thomas Miller, "Mrs Pool had a husband in England Viz Mr Pool that he and she had difficulties, yet not very serious or very uncommon, not on account of any adultery—parties separated—not divorced." Ann Booth then asserted that "Mr Pool wished to continue to live with [Mrs. Pool]." Mary Hardman countered that "Mr Pool did not like to live with his wife; loved and respected her and that she sought occasion to have him speak evil against her, to enable her to quit him, and that they parted with each other affectionately when she left England." Elder D. Wilding said that "he never gave any advise for her to marry, or to leave her husband, believes she had no right to marry." Blazzard, age thirty-four, then testified that he had sought Apostle Brigham Young's advice, that Young had replied he "would not give leave to marry, [and] if he married he must be for himself." Gustavus Hills, who by now had returned to full fellowship, reported that Blazzard had asked his opinion, that he had "answered it was wrong in the statute," but that Blazzard had encouraged him to seek Joseph Smith's counsel. Mrs. Pool had written a letter to the prophet, accusing her husband of "ill usage," and explaining that he "was cross and used her roughly whenever she was in a family pregnant he beat her, never beat her only when pregnant until they both joined the Church after which he was more cross but did not beat her." After reading the letter, Smith had "advised that Blazzard and Mrs Pool be married," which ceremony Hills performed. Hyrum Smith, increasingly sensitive to the rumors of polygamy in the church, disagreed with his brother, and instead urged the couple not to marry "unless she was divorced from her husband, and would be wrong &c but gave it as his opinion that they now live in adultery, that they can not be retained in fellowship." The council endorsed Hyrum's opinion and expelled the couple from the church.¹⁰⁰ (However, questions lingered, and when the council met the next week, new evidence was introduced accusing Mr. Pool of adultery, after which it was agreed that Blazzard and Mrs. Pool be readmitted "to fellowship by baptism."¹⁰¹ Blazzard and Pool's marriage soon failed, and Blazzard married Sarah Miller—who had left John Thomas Thorp—ten months later on 23 November 1843. The Blazzards remained in Nauvoo, migrated with the main body of the church to Utah, where he died in 1871.¹⁰²)

Immediately after its decision to excommunicate Blazzard and Pool on 28 January, the council took a short recess, after which it decided once again to postpone the case against Enoch King and Mary Ware Eggleston. They then moved to charges of "adultery by living together" leveled against James Reed and Mary Powell (ages unknown) by the man who had performed their civil marriage one month earlier, future LDS apostle Charles C. Rich. Reed, Powell, and two witnesses were present. Thomas Evins (or Ivins) reported that "Mrs Powell's husband lived in pursuit of illicit conduct with females, knew he tried to marry another woman." Charlotte Arthur continued that "Mrs Powell's husband was of bad character, 3 years last June since he left Mrs Powell." Reed added that he had understood "Mr Powell was about to get married," and Mrs. Powell explained that "Mr Powell was endeavouring to get married, [and] denied to have been married to Mrs Powell [so] she got a certificate of the marriage, [but]

¹⁰⁰ Ibid.

¹⁰¹ Ibid., 4 February 1843.

¹⁰² Black, s.v., "Bleazard, John Hopwood."

Powell refused to support her (Mrs Powell) and that he was living in adultery with another woman." The council was persuaded by the evidence of a permanent rupture in the Powells' marriage, acquitted Reed and Powell of all charges, and reaffirmed their fellowship in the church.¹⁰³

For their final ruling of the day, councilors decided to tie up loose ends remaining in the case against "John Wells Taylor and Mary Cook, wife of Henry Cook, (alias the cat fish woman)." (Taylor apparently continued to insist that he had purchased his wife from Henry Cook.) It is not clear from the minutes if either defendant was present. But after reviewing the previous week's minutes, councilors summarily expelled both from the church.¹⁰⁴

When the council met two weeks later, on 11 February 1843, they resolved the much-delayed trial of Enoch King and Mary Ware Eggleston. (King, age twenty-one, had married Eggleston [also Igguldin], age twenty-six, on 30 March 1841.) Eggleston had given birth only three weeks earlier to the couple's first child. A convert from England, Eggleston had previously married sometime before 1835 and borne two children (both of whom had died before the age of four). However, her husband had not joined her in immigrating to Nauvoo, and Eggleston found herself separated from him by her new religion and in a position not unfamiliar to other converts. Though the council's minutes of the case are brief, the couple presented a persuasive defense, and was "unanimously acquitted by the Council in Council of the whole."¹⁰⁵ King and Eggleston remained in Nauvoo, were endowed and sealed in the Nauvoo temple in late January 1846, migrated to Utah, raised eight children, and died in 1895 (King) and in 1911 (Eggleston).¹⁰⁶

The next three cases of alleged sexual misconduct—the last before Hyrum Smith read to the council his brother's revelation on plural marriage later that summer—were presented in March, April, and July. In the first, Job E. Green, age thirty, was charged with "unchristian-like conduct" for having "made an attempt[t] to go to bed [with] two young females and acted otherwise very imprudently at the time." Green, whose twenty-seven-year-old wife Floretta Pierce (m. 1835) had given birth to their fifth child two months earlier, pleaded not guilty. After the evidence was presented, the council concluded that since "there being but one witness which was went to establish the most important item," the charge was "not sustained" and Green was exonerated.¹⁰⁷ Less than a month later, the council ruled on the following charges against Jordan P. Hendrickson, age thirty-four:

First, that he married a second woman when his first wife was living, from which he was not released by the laws of God or of man consequently committed adultery. Second, that he told the second woman before he was married to her and also others that he had a bill of divorcement from his wife. Third, For abusing & neglecting her and not admini[s]tering to the wants of the second woman while she was on her death bead. Fourth For slandering the character & speaking evil of her since dead.

Hendrickson, married three weeks earlier to Frances Hymphrys (age unknown), pleaded not guilty. The minutes do not record what evidence was presented, but Hendrickson had probably

¹⁰³ Nauvoo High Council Minutes, 28 January 1843.

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*, 11 February 1843.

¹⁰⁶ Black, s.v., "King, Enoch Marvin or Marion," and "Ware, Mary Bigg."

¹⁰⁷ Nauvoo High Council Minutes, 4 March 1843.

left his first wife before her death to marry Humphrys. Stake president Marks felt that Hendrickson had not "done what he had wilfully" and should remain a member of the church. However, other councilors disagreed, and after a thorough airing of all sides, the council voted instead to expel Hendrickson from the church.¹⁰⁸ (He would be readmitted in October 1845 and endowed in the Nauvoo temple early the next year.)¹⁰⁹ Finally, in July, Elizabeth Rowe (age unknown) was accused of "unchristian-like conduct having been caught in bed with a man not her husband at two different times." Rowe pleaded not guilty, but the "charge was sustained," and the council ruled unanimously that "the hand of fellowship be withdrawn from her."¹¹⁰

During these months of deliberations, Joseph Smith secretly married thirteen new wives, including two pairs of sisters,¹¹¹ while nine of his close male associates entered the celestial order for the first time.¹¹² ("It is your privilege to have all the wives you want," Smith counseled a loyal disciple in February–March 1843.)¹¹³ Most significantly, Smith's first wife and older brother finally "received the doctrine of priesthood" (i.e., plural marriage).¹¹⁴ Hyrum's conversion was total; Emma, though she participated in the May 1843 sealings of one of the pairs of sisters to her husband,¹¹⁵ was hesitant. Still, begrudging support was better than none, and as a reward for her obedience Smith granted Emma's and his eternal sealing on 28 May.¹¹⁶

By mid-summer, however, Emma's doubts about the divinity of her husband's doctrine had returned, and she was threatening revolt—either indulging herself in a plurality of husbands or divorcing her profligate spouse outright.¹¹⁷ Hyrum believed he could persuade Emma to abandon her opposition, and on 12 July told his brother: "[I]f you will write the revelation on celestial marriage, I will take and read it to Emma, and I believe I can convince her of its truth, and you will hereafter have peace." Smiling, Joseph replied that Hyrum did "not know Emma as well as I do." But "the doctrine is so plain," Hyrum insisted, "I can convince any reasonable man or woman of its truth, purity and heavenly origin." "Well, I will write the revelation," Joseph conceded, "and we will see." He then asked his scribe "to get paper and prepare to write." "I wrote it," William Clayton remembered, "sentence by sentence, as he dictated." When Hyrum returned from reading the revelation to Emma, Joseph asked "how he had suc-

¹⁰⁸ Ibid., 1 April 1843.

¹⁰⁹ Ibid., 18 October 1845; Black, s.v., "Hendrickson, Jordan P."

¹¹⁰ Nauvoo High Council Minutes, 22 July 1843.

¹¹¹ See Compton, 6–7.

¹¹² See Smith, "Nauvoo Roots of Mormon Polygamy," 37–72.

¹¹³ William Clayton, Affidavit, 16 February 1874, original in LDS Archives.

¹¹⁴ Quoted in George D. Smith, *An Intimate Chronicle: The Journals of William Clayton* (Salt Lake City: Signature Books in association with Smith Research Associates, 1991), 106.

¹¹⁵ Smith had married Emily Partridge and Eliza Partridge without his wife's knowledge the previous March. When she subsequently agreed to allow him to take wives of her choosing, she selected the two sisters. Smith then repeated the ceremony for Emma's benefit. See Compton, 407–409.

¹¹⁶ See Scott H. Faulring, editor, *An American Prophet's Record: The Diaries and Journals of Joseph Smith* (Salt Lake City: Signature Books in association with Smith Research Associates, 1989), 381.

¹¹⁷ See, for example, Smith, *Intimate Chronicle*, 108 and 117.

ceeded." Hyrum answered that "he had never received a more severe talking to in his life, that Emma was very bitter and full of resentment and anger." His brother "quietly remarked, 'I told you, you did not know Emma as well as I did.'" When Joseph subsequently read the revelation to a few other intimate friends, one asked if he could copy it. Smith said he had no objection.¹¹⁸ Before the end of the week, however, "Emma had so teased, and urgently entreated him for the privilege of destroying it, that he became so weary of her teasing, and to get rid of her annoyance, he told her she might destroy it, and she had done so, but he had consented to her wish in this matter to pacify her, realizing that he knew the Revelation perfectly, and could re-write it at any time, if necessary."¹¹⁹ (Smith's revelation was later canonized by the LDS Church as Section 132 of its edition of the Doctrine and Covenants.) "[F]or the rest of the time," Hyrum's son later reported, Joseph Smith "was more or less in her power, and all he done hereafter in relation to this law, was done in secret, unbeknown to Emma."¹²⁰ In fact, Clayton recorded in his diary the next month: "This A.M. J[oseph]. [Smith] told me that since E[mma]. [Smith] . . . resisted the P[riesthood]. [i.e., plural marriage] in toto & he had to tell her he would relinquish all [i.e., his wives] for her sake. She said she would given him [the sisters he had married in May] but he knew if he took them she would pitch on him & obtain a divorce & leave him. He however told me he should not relinquish any thing[.]"¹²¹

When the high council assembled in Hyrum Smith's office on 12 August 1843, talk of the prophet's plural marriages was unavoidable.¹²² Councilor Austin Cowles's twenty-nine-year-old daughter had married Smith the previous June,¹²³ one of Councilor David Fullmer's sisters had married him a month later,¹²⁴ Councilor George W. Harris's own wife had married the prophet,¹²⁵ and Councilor William D. Huntington had taken a plural wife in February 1843 and knew that two of his sisters had married Smith in late 1841.¹²⁶ Lewis Dunbar Wilson announced that he was "Satisfied there was something in those rumors, and he wanted to know about it." Immediately, Hyrum Smith (who would take his first plural wives before the end of the month) excused himself, walked across the street to his house, and retrieved the surviving copy of his brother's revelation, which he read to the council and "bore testimony to its truth."¹²⁷ Hyrum "reasoned upon said Revelation for about an hour," remembered Thomas Grover, "clearly explaining the same, and then enjoined it upon said Council, to receive and

¹¹⁸ This copy is currently housed in LDS Archives.

¹¹⁹ Clayton, Affidavit.

¹²⁰ Joseph F. Smith, quoted in Utah Stake Historical Record, 4 March 1883, LDS Archives.

¹²¹ Smith, *Intimate Chronicle*, 117.

¹²² The councilors present that day were James Alfred, Samuel Bent, Austin A. Cowles, Alpheus Cutler, David Fullmer, Thomas Grover, George W. Harris, William D. Huntington, Levi Jackman, Aaron Johnson, William Marks, Leonard Soby, and Lewis Dunbar Wilson.

¹²³ Compton, 6, 544.

¹²⁴ *Ibid.*, 6.

¹²⁵ *Ibid.*, 6, 49–53.

¹²⁶ See Smith, "Nauvoo Roots of Mormon Polygamy," 48, 60.

¹²⁷ David Fullmer, Affidavit, 15 June 1869, in "Forty Affidavits on Celestial Marriage," Joseph F. Smith Affidavit Books, LDS Archives.

acknowledge the same, or they would be damned."¹²⁸ A majority of councilors "agreed and assented," testified Leonard Soby, "believing it to be of a celestial order though no vote was taken upon it, for the reason that the voice of the prophet in such matters was understood by us to the voice of God to the church, and that said revelation was presented to said Council as before stated, as coming from Joseph Smith the prophet of the Lord, and was received by us as other revelations had been."¹²⁹ (The council's official minutes record simply: "No business before the Council. Teaching by Prest Hiram Smith & William Marks.")¹³⁰ Only Cowles (age fifty-one), Soby (age early forties), and stake president Marks (age fifty) would ultimately reject the prophet's doctrine; James Allred, Samuel Bent, Alpheus Cutler, Fullmer, Grover, Huntington, Aaron Johnson, and Wilson would all marry plurally prior to the Saints' exodus west.¹³¹ (Fearing recrimination, both Joseph and Hyrum would publicly assert the following June that the revelation referred only to "ancient" and "former days" and had "nothing to do with the present times.")¹³²

Less than three weeks later, Councilor Cowles, whose discomfort with plural marriage was mounting,¹³³ formally charged thirty-year-old George J. Adams with "unchristian conduct," for "adultery," "Breach of covenant," "lying," "slandering," and "putting the stumbling block of his iniquity before his face and raising an image of jealousy and causing people to worship it." Adams, a former Methodist lay preacher and stage actor, had converted to Mormonism in 1840, moved to Nauvoo with his family, and quickly established himself as a compelling, persuasive orator. According to his biographer, he also battled alcoholism, was ambitious and opportunistic, and possessed a sensitive, prickly personality.¹³⁴ He defended the church in England and on the East Coast from 1841 to 1842, winning Joseph Smith's respect, but while on a speaking mission to Massachusetts in early 1843, he was abruptly summoned to Nauvoo to answer questions regarding a rumored affair. Adams had already confessed to a one-time adulterous encounter,¹³⁵ word of which had apparently refused to die.¹³⁶ After Adams made a

¹²⁸ Thomas Grover, Affidavit, 6 July 1869, in "Forty Affidavits on Celestial Marriage," Joseph F. Smith Affidavit Books. See also James Allred, Affidavit, 2 October 1869, in "Forty Affidavits on Celestial Marriage," Joseph F. Smith Affidavit Books.

¹²⁹ Leonard Soby, Affidavit, 14 November 1883, LDS Archives.

¹³⁰ Nauvoo High Council Minutes, 12 August 1843. Smith, *History of the Church*, is silent regarding this event.

¹³¹ See Smith, "Nauvoo Roots of Mormon Polygamy," 37–72. Levi Jackman would enter polygamy sometime before or after February 1846.

¹³² See their testimony in "City Council, Regular Session, June 8th [and 10th], 1844," *Nauvoo Neighbor* (19 June 1844): 2, 3.

¹³³ See Soby, Affidavit.

¹³⁴ See Reed M. Holmes, *The Forerunners* (Independence, Missouri: Herald House, 1981), 14–17, 43–44.

¹³⁵ "There is one thing I wish to Speak about," Adams wrote,

Viz—the affair that the lord revealed unto you concerning me and another[.] had I done as the Spirit directed me I would have confessed ev[e]rything to you before I left . . . I covented with God to tel you immediately after the Sin was committed[.] I came to Nauvoo this summer almost on purpose to lay the whole transaction before you and take you[r] council. I will do so the first

private in-person “acknowledgment” of his actions the following May 1843, including an appropriate expression of contrition, Smith announced that he was “perfect[ly] satisf[ied]” and told colleagues: “Bro Adams will has now started anew,—and let all present hold their tongues and only say that Elder Adams has started anew.”¹³⁷ Smith apparently then instructed Adams more fully in the true order of marriage, authorized his taking additional wives, and may have even approved an existing or pending plural relationship.

Thus when called three months later before the high council, Adams “read a document from the first Presidency and objected to any thing being brought up previous to the date thereof [i.e., 5 June 1843].” Joseph and Emma Smith also appeared in his defense.¹³⁸ As a result, Cowles’s charges were “not sustained,” and in view of rumors to the contrary, Adams asked that a statement be published attesting to his good character.¹³⁹ “This is to certify,” the council wrote, “that Elder George J. Adams has been honorably acquitted by the High Council in Nauvoo, from all charges heretofore preferred against him from any and all sources; and is hereby recommended as a faithful laborer in the Church of Jesus Christ of Latter Day Saints, and a servant of the Lord that is entitled to the gratitude, confidence, liberality and clemency of the Saints and honorably men in all the world.”¹⁴⁰ Rather than draw additional public attention to the accusations, Joseph and Hyrum Smith decided to issue their own announcement:

Know all men by these presents, before whom this may come, that elder George J. Adams, is fully authorized and required from this time forth to travel from place to place, to raise money

opportunity. but My Dear Brother don't think for one moment that I ever was an adulterer at heart[.] No God [k]nows I never was, nor don't you think we continued to Sin, No we did not, but Bowed before the Lord and sought his pardon and determined to Sin no more[.] I was also under the influence of many different passions at the time & will tel you all when I see you . . . Oh! Bro Joseph don't forsake me for God knows I never will you nor his church.

—Adams to Joseph Smith (11 October 1842) Joseph Smith Collection.

¹³⁶ “[N]ot that I wish you for one moment to think that I am under transgresshen now or that I have been for many months,” Adams insisted in late February 1843,

for I have not.—but some rumers, and reports have been set on foot in New York not by the World but by envious and jelous Mormons that are Seeking my overthrow and want to make me guilty wether I am or not . . . now My Dear Brother if you can save me without a publick trial, I trust I will never forget it while memory lasts, I dont fear any thing the world can do, No! my enimies that are seeking my overthrow are in the Church, there is no evidence against me—and they can get none, whatsoever I have done you know, and you also know I have sincerely repented months ago . . . My Dear Wife is with me in Good health and spirits considering evrything. —Adams to Joseph Smith (23 February 1843) Joseph Smith Collection.

¹³⁷ Faulring, 381. Adams denied that he had been tried, demoted, or committed any sin: “[S]ome say that my license [to preach] was taken from me; that is a lie. Some say I was tried before the Twelve; that is also a lie. . . . I never was brought before the authorities of the Church, for there was no one to lay charges against me, . . . Some say I confessed to Joseph that the reports in circulation about me where [sic] true; that is another wilful lie . . . my standing was never better since I came in the Church than at present.” Adams to Peter Hess (7 July 1843) in *Journal History*.

¹³⁸ See Faulring, 412; Smith, *History of the Church*, 6:2 (does not mention Emma Smith).

¹³⁹ Nauvoo High Council Minutes, 1 and 7 September 1843.

¹⁴⁰ *Ibid.*, 7 September 1843.

by donations, contributions, or collections, both from the Saints, and all honorable men of the earth, to assist in building the Temple of the Lord at Nauvoo: and he is empowered to give a receipt for the same; and our prayer is, that the God of Israel will open the hearts of the people, that they may give liberally to assist in rolling forth the purposes of God in the last days: and all those who give, shall receive the blessings of God, and be rewarded in this world, and the world to come.¹⁴¹

Such efforts in Adams's behalf may have been futile, however, as his domestic arrangements had already become common knowledge. "A month ago or more," wrote Charlotte Haven, a young non-Mormon living in Nauvoo,

one of the Apostles [actually a seventy], [George J.] Adams by name, returned from a two years' mission in England, bringing with him a wife and child, although he had left a wife and family here when he went away, and I am told that his first wife is reconciled to this certainly at first unwelcome guest to her home, for her husband and some others have reasoned with her that plurality of wives is taught in the Bible, that Abraham, Jacob, Solomon, David, and indeed all the old prophets and good men, had several wives, and if right for them, it is right for the Latter Day Saints. Furthermore the first wife will always be first in her husband's affection and the head of the household, where she will have a larger influence.¹⁴²

Two years later, Adams was excommunicated for insubordination, joined an offshoot church, was expelled for sexual misconduct, then formed his own church in 1861. He sailed to Jaffa (now Tel Aviv) in 1865 where he hoped to found a settlement for his followers, but returned to the United States in 1870. He died in 1880 in Philadelphia.¹⁴³

The next case of alleged sexual misconduct did not turn on secret knowledge. On either 17 or 18 November (the minutes are unclear), Sidney Roberts charged twenty-three-year-old Quartus S. Sparks with "seducing and getting a Sister with child by the name of Mary Aber and other unchristian like conduct." Sparks and Aber, age seventeen, had recently migrated to Nauvoo from the eastern seaboard (apparently New York). Aber, "with a child in her arms," testified before the council that "Sparks is the father of said child and that it was got by seduction and force that she resisted him until 3 o'clock at night when he got the advantage and accomplished his purpose." "[T]he crime," she elaborated,

was committed in a house where the family were unbelievers that in consequence she did not cry out, for the sake of the church he being a Mormon Elder knowing they would report the same against the Elders of the church, that for the sake of the reproach it would bring upon the church she went to Brooklin and hid herself up there until the child was born and remained so five weeks after, before it was known to any one of the church and that she left for Nauvoo unbeknown to her parents and friends, that when she was about landing at Nauvoo he (Sparks) said she must now shirk for herself, that she was at the house of Mr Thomas, and had gone to

¹⁴¹ "To Whom It May Concern," dated 14 October 1843, in *Times and Seasons* 4 (15 September 1843): 329. The Smith brothers may have endorsed Adams again on 7 June 1844; see the certificate reportedly signed by Joseph and Hyrum Smith in *Voree Herald* (October 1846).

¹⁴² Haven to "My Dear friends at home," Nauvoo, Illinois, 8 September 1843, in "A Girl's Letters from Nauvoo," *Overland Monthly* (San Francisco) 16 (December 1890): 635–636.

¹⁴³ See Steven L. Shields, *Divergent Paths of the Restoration: A History of the Latter Day Saints Movement*, third edition (Bountiful, Utah: Restoration Research, 1975), 99. See also Reed M. Holmes, "G. J. Adams and the Forerunners," in Maurice L. Draper and A. Bruce Lindgren, editors, *Restoration Studies II* (Independence, Missouri: Temple School, 1983), 42–60.

bed when Sparks came to the house and came to her bed and persisted in his attempt[s] until 3 o'clock, she had got up when he got the advantage of her and threw her on the bed and succeeded in accomplishing his purposes.

Sparks, who believed that he was a victim of circumstance, countered that he had gone to bed when Mary Aber came into his room and sat down after a while he got up and went and sat down by her and put his arm around her neck and took other liberties with her they then arose and walked across the floor once or twice and then he threw her on the bed and then went out of the room to avoid her; and give her a chance to go away, but when he returned he found her stil[l] laying on the bed when he could no longer resist, but had intercourse with her once and once only, that he did not seduce her but she seduced him.

The couple's difficulties had surfaced before they left New York (perhaps following the birth of their child), and Sparks had reportedly promised to "marry Mary Abor or be tried at Nauvoo." On their journey west, Aber felt that Sparks had not sufficiently provided for her and her baby's comfort. One of the witnesses called to testify, a Sister Robanks, reported that initially "she felt much prejudiced against [Aber] in consequence of iniquity . . . until she saw her weeping and that repeatedly[,] her sympathy was awakened in her favor she afterwards conversed some with her . . . She believed her to have been weeping in consequence of her want of food; believes her to have been neglected by Sparks, that Mary Abers conduct was christianlike on the passage." On the other hand, a Brother and Sister Wandle said they were "hurt and angry at Mary and a great sympathy for Sparks, on account of the sympathy which the passengers had for Mary in consequence of her talking and the many questions that was asked her by the passengers . . . Spark[s] showed a willingness to provide necessaries for and make her (Mary Aber) comfortable on this passage." Sparks too insisted "that he did not neglect her (Mary) on the passage." However, he did admit telling her "when arriving at Nauvoo that she must now shirk for herself, that he had done all by bringing her up to Nauvoo that was required of him by God or man." The council concluded that Sparks had in fact seduced Aber and voted unanimously to withdraw from him the hand of fellowship.¹⁴⁴ Sparks left Nauvoo for Connecticut, where he married Mary Holland Hamilton, age twenty-three, in mid-1844. Two years later, they joined Samuel Brannan and other Mormon passengers aboard the *Brooklyn* for Yerba Buena and eventually settled in San Bernardino, California, where Sparks died in 1891. His wife died in Salt Lake City in 1898. Mary Aber remained in Nauvoo, was endowed in the Nauvoo temple, and married Rufus Beach, age fifty, in January 1846.¹⁴⁵

The last two charges of seduction brought before the high council prior to Joseph Smith's death both involved William Henry Harrison Sagers (also "Sagars"). Sagers, age thirty-eight, had joined the church in 1833, married Lucinda Madison in 1834, preached Mormonism in Louisiana, Ohio, Pennsylvania, and New York, and finally moved with his wife and sister-in-law Phebe Madison to Nauvoo by early 1842 (if not before.) Word eventually spread that Sagers and his sister-in-law shared a sexual relationship, and that Sagers justified his actions by appealing to the prophet's example. When Smith learned of the stories, he charged Sagers before the high council (joined by members of the Twelve) with "trying to seduce a young girl, living at his house by the name of Phebe Madison . . . [and] using my name in a blasphemous manner, by saying that I tolerated such things in which thing he is guilty of lying &c. &c."

¹⁴⁴ Nauvoo High Council Minutes, 17 or 18 November 1843.

¹⁴⁵ See Black, s.v. "Sparks, Quartus Strong," and "Aber, Mary Catherine."

Sagers pleaded not guilty, and the council concluded he had been taught "false doctrine," which the prophet corrected, no doubt explaining that plural unions not sealed by the proper authority were adulterous.¹⁴⁶ (He also apparently sanctioned Sagers's relationship with Phebe at this time or shortly after.) According to Wilford Woodruff, Smith

made an address upon the subject which was highly interesting & its tendency was to do away with evry evil & practice virtue & Holiness before the Lord. That the Church had not received any license from him to Commit adultery fornication or any such thing. But to the contrary if any man Commit adultery He could not receive the Ceslestial Kingdom of God. Even if he was saved in any Kingdom it could not be the Ceslestial kingdom.

He said he thought the many examples that had been manifest. John C Bennet & others was sufficient to show the fallacy of such a course of conduct. He condemned the principle in toto & warned those present against going into these evils, for they would shurely bring a Curse upon their heads.¹⁴⁷

The council then voted to endorse Sagers as a member in good standing.¹⁴⁸

Over the next several months, Smith continued to educate Sagers (and others) more fully on "the doctrine of Celestial Marriage or plurality of wives."¹⁴⁹ Lucinda did not share her husband's vision of the celestial family and did not participate in such instruction. Relations between the Sagerses rapidly deteriorated, the two apparently separated, and in mid-April 1844, Lucinda formally brought charges against him before the First Presidency and Twelve, alleging:

Inasmuch as you have declared officially that you will deal with all persons who teach or have taught the abominable doctrine of Spiritual wives. This is to notify you that Harrison Sagers is guilty of that said sin, which thing can be proven by credible witnesses, and if he is not chastised for it by the church the law of the land will be enforced against him.

H. Sagers left his family in December last[,] since such time he has not provided for them in any way what ever. The cause of the innocent demand[s] action immediately and you are the ones to take the matter in hand.

The delicate matter was referred to the high council, which on 13 April ruled that "as the first part of the charge had been brought before the Council before . . . and he tried on it; that the Council had no wright to deal with him on that item. And that the Second part was not sustained and therefore that he should remain in the Church."¹⁵⁰ Not surprisingly, neither of Sagers's marriages survived, and less than two months later, an embittered Lucinda announced that "Whereas my husband, the Rt. Rev. W. H. Harrison Sagers, Esq., has left my bed and board without cause or provocation, this is to notify the public not to harbor or trust him on my account, as I will pay no debts of his contracting."¹⁵¹ Sagers remained in Nauvoo, was endowed

¹⁴⁶ Sagers's biographer feels that he may have "misconstrued" Smith's teachings. See Ella Sagers Swanson, *The Sagers Clan* (Tucson, Arizona: Ella Sagers Swanson, 1980), 61.

¹⁴⁷ Woodruff, 3:328. Woodruff's account was subsequently recast as an entry in Joseph Smith's history in Smith, *History of the Church*, 6:81, which mentioned Sagers by name.

¹⁴⁸ Nauvoo High Council Minutes, 25 November 1843.

¹⁴⁹ Nathan Tanner, Affidavit, 28 August 1869, in "Forty Affidavits on Celestial Marriage," Joseph F. Smith Affidavit Books.

¹⁵⁰ Nauvoo High Council Minutes, 13 April 1844. See also Smith, *History of the Church*, 6:333.

¹⁵¹ "One Cent Reward," *Nauvoo Expositor* (7 June 1844):3.

and married polygamously in the Nauvoo temple in January 1846, moved to Utah with his families, helped to settle Tooele (west of Salt Lake City), and died in Idaho in 1886.¹⁵² Lucinda's and Phebe's fates are not known.

Table 2. Frequency of Meetings and Charges of Sexual Misconduct Brought Before the Nauvoo Stake High Council, 1840–1844

Year	Number of Meetings	Number of Cases	Number and Percent of Cases Involving Sex	
1840	32	13	0	0%
1841	10	4	0*	0%
1842	50	22	7**	31.8%
1843	51	41***	15	36.6%
1844****	14	6	1	16.7%

* Excludes Niswanger and Clapp vs. Turley.

** Excludes Clapp vs. Turpin.

*** Excludes a case (Knowlton vs. Willis), which, though mentioned on 30 December 1843, was not heard in full and resolved until 6 January 1844.

**** The last meeting of the high council before Joseph Smith's death was on 18 May 1844.

Not all cases brought before the Nauvoo Stake high council during the years 1840 to Joseph and Hyrum Smith's deaths on 27 June 1844 involved accusations of sexual misconduct. In fact, during the peak year of the council's tribunals, 1843, only slightly more than a third of all cases centered on such behavior. What is instructive is not the number of men and women called to account for their illicit actions, but the range of prohibited behaviors and the responses to them of the church's leaders. For even at the fringe of American religious (and in some ways sexual) expression, Mormons confronted deviance in an assortment of manifestations and guises, some more easily addressed than others. As a divinely sanctioned component of the church's erotic economy, plural marriage not only impacted many Saints' moral identities, but challenged their own leaders' ability to superintend the sexual lives of a growing congregation. That some men and women followed unholy paths speaks not so much to their gullibility, rebellion, or lust, or even to others' self-serving presumption to speak in the prophet's behalf, as it does to Joseph Smith's calculated decision to adopt a variety of sometimes questionable measures in promulgating and practicing his celestial doctrine of "priesthood privileges." ◀

¹⁵² Black, s.v., "Sagers, William Henry Harrison." Sagers was subsequently cited by LDS church apostle (and future president) Spencer W. Kimball in connection with Joseph Smith's declaration that adulterers "cannot receive the celestial kingdom of God." See *The Miracle of Forgiveness* (Salt Lake City: Deseret Book Co., 1969), 347. Kimball did not note that Sagers was found not guilty of adultery.